

IN RE: PETITION FOR ZONING VARIANCE
NE/S of Sunup Court, 150' NW
of the c/l of Church Road
(1 Sunup Court)
4th Election District
3rd Councilmanic District
Henry F. Renard, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 90-455-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a front yard setback of 30 feet in lieu of the minimum required 50 feet for a proposed garage addition in accordance with Petitioner's Exhibit 1.

The Petitioners appeared and testified. There were no Protestants. Testimony indicated that the subject property, known as 1 Sunup Court, consists of .82 acres zoned R.C. 5 and is improved with a single family dwelling which has been Petitioners' residence for the past 26 years. Petitioners are desirous of expanding the existing attached one car garage to provide space for two cars. Testimony indicated Petitioners are currently expanding the master bedroom and installing a deck on the rear of the existing dwelling for which they received the requisite permits in March of this year. However, Petitioners were advised that the subject garage would require a variance due to its close proximity to the property line. Petitioners testified that they have spoken to their neighbors who have no objections to the proposed improvements. Testimony indicated the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding community.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements

of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 26th day of June, 1990 that the Petition for Zoning Variance to permit a front yard setback of 30 feet in lieu of the minimum required 50 feet for a proposed garage addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) Petitioner shall not allow or cause the existing and proposed garage addition to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

Ann M. Nastarcowicz
ANN M. NASTARCOWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 29, 1990
THIS IS TO CERTIFY, that the annexed advertisement was published in OWINGS MILLS TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 24, 1990.

OWINGS MILLS TIMES,

S. Zabe Olson
Publisher

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 29, 1990
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 24, 1990.

THE JEFFERSONIAN,

S. Zabe Olson
Publisher

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-455-A
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A04.3.B.5. (202.2 R.40 1/19/63)

To permit a 30 foot front yard setback in lieu of the minimum 50 feet.

1. GARAGE ADDED TO HOUSE AND CURRENTLY PARCELED ON STREET AND SUBMITTED TO UNDER ADVERTISEMENT FROM PETITIONER'S ATTORNEY AND ADJUDICATED BY THE COURT.
2. ONLY OTHER AVAILABLE LOCATION WOULD DOUBLE COST TO SETBACK OPEN SPACE OF REAR YARD.
3. NO OTHER LOCATION PROVIDES DIRECT ACCESS TO DRIVEWAY WITHOUT REFILING TO WEATHER.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)
Signature: _____
Address: _____
City and State: _____

Legal Owner(s): _____
(Type or Print Name)
Signature: Henry F. Renard
Address: 1 Sunup Court
City and State: Baltimore, MD 21204

Attorney for Petitioner: _____
(Type or Print Name)
Signature: J. Robert Haines
Address: 111 W. Chesapeake Avenue
City and State: Towson, Maryland 21204

Attorney's Telephone No.: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 17th day of June, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 25th day of June, 1990, at 2 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

CONFIRMED
to 6/25
9:30
at time of hearing - 1/2 of an hour
each, any time

Baltimore County Zoning Commissioner

County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Date: 6/25/90

PUBLIC HEARING FEES QTY PRICE
080 -POSTING SIGNS / ADVERTISING 1 X \$101.45

LAST NAME OF OWNER: RENARD TOTAL: \$101.45

Cashier Validation: _____

B 805*****101451g 8254F
Please make checks payable to: Baltimore County

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

JRHgs

Baltimore County Zoning Commissioner

Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

Mr. & Mrs. Henry F. Renard
1 Sunup Court
Reisterstown, Maryland 21136

Re: Petition for Zoning Variance
CASE NUMBER: 90-455-A
NE/S of Sunup Court, 150' NW of c/l of Church Road
1 Sunup Court
4th Election District - 3rd Councilmanic
District
Petitioner(s): Henry F. Renard, et ux
HEARING: MONDAY, JUNE 25, 1990 at 9:30 a.m.

Dear Petitioners:

Please be advised that \$ 101.45 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204 (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

JRHgs

M 42936
PURCHASE REQUISITION
Baltimore County, Maryland
Office of Central Services
PAGE 1 OF 1
DATE: 4/19/90

ITEM NO.	QUANTITY	U/M	DESCRIPTION OF MATERIAL	UNIT PRICE	TOTAL PRICE	PURCHASE/SUB-ORDER NO.
1			1 Sunup Court, 150' NW of c/l of Church Road 1 Sunup Court 4th Election District - 3rd Councilmanic Ballot District - Henry F. Renard, et ux HEARING: FRIDAY, MAY 25, 1990 at 2:00 p.m.			
ADDITIONAL DESCRIPTION: <i>Case assigned ADS pulled.</i> <i>4/19/90</i>						
COMMODITY CODE: PURCHASE FROM: VENDOR NO. TERMS F.O.B. DESCRIPTION OF MATERIAL: UNIT PRICE TOTAL PRICE P.O. NO. 104492						
APPROVED BY: AGENCY: NEW VENDOR MINORITY RED TAG SEALED BID NO.						

CSP 001 (REV. 3/89)

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

May 7, 1990

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance
CASE NUMBER: 90-455-A
NE/S Sunup Court, 150' NW of c/l of Church Road
1 Sunup Court
4th Election District - 3rd Councilmanic
Petitioner(s): Henry F. Renard, et ux
HEARING: MONDAY, JUNE 25, 1990 at 9:30 a.m.

Variances to permit a 30 ft. front yard setback in lieu of the minimum 50 ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

May 14, 1990

Mr. & Mrs. Henry F. Renard
1 Sunup Court
Reisterstown, MD 21136

RE: Item No. 326, Case No. 90-455-A
Petitioner: Henry F. Renard, et ux
Petition for Zoning Variance

Dear Mr. & Mrs. Renard:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

Your petition has been received and accepted for filing this
11th day of April, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Henry F. Renard

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Henry F. Renard, Item No. 326
Theresa Marie Durban, Item No. 328
Diana Ely Epstein, Item No. 325
Donald H. Wilson, III, Item No. 323
Richard H. Kress, Item No. 320
Michael R. Spodak, Item No. 318
Richard C. Flighman, Item No. 319
Durban Road Ltd. Part., Item No. 315
Fitch Avenue Ltd. Part., Item No. 314
Douglas E. Abrams, Item No. 308
Chestnut Ridge Country Club, Item No. 300

In reference to the Petitioners' requests, staff offers no comment.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

ITEMVARI.ED/ZAC1

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

April 6, 1990

J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 322, 323, 325, 326, 327, and 328.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Assoc. II

MSE/lw

RECEIVED
APR 16 1990
ZONING OFFICE

Baltimore County
Fire Department
Towson, Maryland 21204 2586
494-4500
Paul H. Reincke
Chief

APRIL 6, 1990

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: HENRY F. RENARD

Location: #1 SUNUP COURT

Item No.: 326 Zoning Agenda: APRIL 10, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Pat Keller* Noted and Approved
Planning Group
Special Inspection Division

JK/REK

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: April 4, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for April 10, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 323, 325, 326, 327 and 328.

For Item 322, the previous County Review Group comments apply.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

June 26, 1990



Mr. & Mrs. Henry F. Renard
1 Sunup Court
Reisterstown, Maryland 21136

RE: PETITION FOR ZONING VARIANCE
NE/S Sunup Court, 150' NW of the c/l of Church Road
(1 Sunup Court)
4th Election District - 3rd Councilmanic District
Henry F. Renard, et ux - Petitioners
Case No. 90-455-A

Dear Mr. & Mrs. Renard:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

A. H. N. N. N.
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:djs

cc: People's Counsel
File

Hon. J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Ave., Rm 109
Towson Md 21204

1 Sunup Ct
Reisterstown Md 21136
April 16, 1990

Re: Petition for Zoning Variance
Case No. 90-455-A
NE/S Sunup Court, 150' NW of c/l Church Rd
1 Sunup Court
4th Election District-3rd Councilmanic
Petitioners(s): Henry F. Renard, et ux
Hearing: Friday, May 25, 1990, 2:00 p.m.

Dear Sir:

The scheduled date for the above hearing will be, for a number of reasons, impossible for me to meet. Therefore, I respectfully request that the hearing be postponed to a later date. If there are questions, I can be reached at 833-6671 or 833-0047.

Thank you for your consideration of my request.

Sincerely,

H. F. Renard
Henry F. Renard

RECEIVED
APR 17 1990
ZONING OFFICE

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

April 19, 1990



Mr. Henry F. Renard
1 Sunup Court
Reisterstown, Maryland 21136

Re: Case Number: 90455-A

Dear Mr. Renard:

This office is in receipt of your request for postponement of the Friday, May 25, 1990 hearing of the above matter.

The matter will be postponed and reset at a later date.

As it will be set in either June or July, please advise of any dates you will be unavailable during these months.

Your anticipated cooperation is appreciated.

Very truly yours,

G. G. Stephens
(301) 887-3391

4/24/90 - Mr. Renard called -
Do not set back June 18 - 22nd.
Frisman's Commission.

326
90-455-A

